



Corres. and Mail  
**BOX AF**

**RECEIVED**  
JAN 03 2003  
TECH CENTER BOX AF  
RESPONSE 1600/896  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1616 #19  
PATENT m.m.  
0425-0836P  
2/12/03

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Masaharu HAYASHI et al. Conf.: 7584  
Appl. No.: 09/842,896 Group: 1616  
Filed: April 27, 2001 Examiner: A. PRYOR  
For: PLANT-ACTIVATING AGENT

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents  
Washington, DC 20231

December 30, 2002  
(Monday)

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated November 4, 2002 of the Primary Examiner finally rejecting claims 4, 8, 10, 11, 13, 16 and 18.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$920.00 is required for the full period of the above-requested extension of time.

☐ An extension of \_\_\_\_\_ ( ) month(s) for responding to the Final Rejection was previously requested and paid for on \_\_\_\_\_. Thus a fee of \$0.00 is required to obtain an additional \_\_\_\_\_ ( ) month(s) for filing the Notice of Appeal.

12/31/2002 JADD01 00000035 09842896

01 FC:1253  
02 FC:1401

920.00 OP  
320.00 OP

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☒ Large entity - \$320.00

☐ Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,240.00.

Payment of the above TOTAL FEE is being made in the following manner:

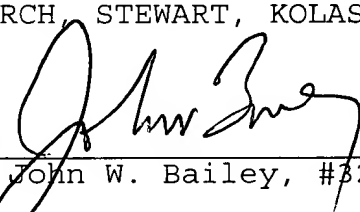
☒ Check(s) in the amount of \$920.00 and \$320.00 is/are enclosed.


☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
John W. Bailey, #32,881

  
JWB/GMD/jmb  
0425-0836P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000